

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SHAMAR CALLOWAY,

Plaintiff,
-against-

COMMISSIONER CYNTHIA BRANN, *et al.*,
Defendants.

20-CV-9494 (CM)

ORDER OF DISMISSAL

COLLEEN McMAHON, Chief United States District Judge:

By order dated November 18, 2020, the Court directed Plaintiff to either pay the \$400.00 in fees that are required to file a civil action in this court or submit a completed request to proceed *in forma pauperis* (“IFP application”) and prisoner authorization within thirty days. On December 1, 2020, the order was returned to the Court with a notation on the envelope indicating that Plaintiff is no longer held at that facility. Plaintiff has not complied with the Court’s order, has failed to notify the Court of a change of mailing address, and has not initiated any further contact with the Court, written or otherwise. Accordingly, Plaintiff’s complaint, filed IFP pursuant to 28 U.S.C. § 1915(a)(1), is dismissed without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

The Clerk of Court is directed to mail a copy of this order to Plaintiff at his last known address and note service on the docket.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf.*

Coppedge v. United States, 369 U.S. 438, 444–45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: December 11, 2020
New York, New York

A handwritten signature in black ink, appearing to read "Colleen McMahon", written over a horizontal line.

COLLEEN McMAHON
Chief United States District Judge